

Supreme Court of Kentucky

2022-25

ORDER

IN RE: COVID-19 VACCINE LEAVE FOR KENTUCKY COURT OF JUSTICE EMPLOYEES

In light of the availability of at-home COVID-19 tests, the significant reduction in positive COVID-19 cases, and changing guidance from the Centers for Disease Control (CDC) relating to COVID-19, the Supreme Court, under Section 116 of the Kentucky Constitution and Supreme Court Rule 1.010, hereby orders that Administrative Order 2021-32, In re: COVID-19 Vaccine Leave, COVID-19 Testing Leave, and Emergency Sick Leave for Kentucky Court of Justice Employees, is rescinded in its entirety.

The Supreme Court recognizes that COVID-19 vaccines remain a critical tool to prevent against infection and severe illness associated with COVID-19. To support continued efforts to vaccinate Kentuckians against COVID-19, the Supreme Court, under Section 116 of the Constitution and Supreme Court Rule 1.010, hereby orders as follows:

- (1) An employee is eligible to claim COVID-19 Vaccine Leave if he or she:
 - a. Is scheduled to and actually works the day that the COVID-19 vaccine dose¹ is obtained; and
 - b. Obtains prior approval from his or her appointing authority if the vaccine dose is obtained during scheduled work hours.
- (2) An eligible employee may receive up to two (2) hours of paid leave to obtain a COVID-19 vaccine dose if he or she provides documentation of the COVID-19 vaccine dose to his or her appointing authority during the pay period in which the leave is claimed.
- (3) The appointing authority may specify the time in which the eligible employee is approved to be absent from work to obtain a COVID-19 vaccine dose.

¹ For purposes of this Order, a COVID-19 vaccine dose includes a single COVID-19 vaccine dose that is part of a single-dose vaccine; a single COVID-19 vaccine dose that is part of a two-dose series; and a COVID-19 vaccine dose administered as a vaccine booster.

- (4) Eligible employees who receive a vaccine dose will be credited with compensatory time for any unused COVID-19 Vaccine Leave or if he or she does not miss any work hours.
- (5) An employee who attempts to get a COVID-19 vaccine dose and is turned away by the vaccine provider will be excused for the time spent attempting to obtain the vaccine dose but will not be eligible to claim COVID-19 Vaccine Leave that day and must provide proof to his or her appointing authority of the attempt to obtain the COVID-19 vaccine dose.
- (6) Any employee who claims COVID-19 Vaccine Leave but does not actually receive a COVID-19 vaccine dose on the day he or she has claimed Leave may be subject to disciplinary action, up to and including dismissal.

This Order shall be effective June 1, 2022, and until further Order of this court.

Entered this 5th day of May 2022.

All sitting; all concur.


CHIEF JUSTICE